

## AGENDA, **Revision 1**

### BOARD OF COMMISSIONERS MEETING

**Tuesday, March 5, 2024, 9 AM**

How to Participate in the Board of Commissioners Meeting			
In-Person	Zoom Video	Zoom Phone Audio	YouTube LiveStream
Kalapuya Building 4500 SW Research Way Corvallis, Oregon	<a href="#">Click for Zoom link</a>	Dial 1(253) 215-8782	<a href="#">Click for YouTube LiveStream link</a>
	Zoom Meeting ID: 891 7382 0163		
	Zoom Passcode: 558253		

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by contacting the Board of Commissioners Office at 541-766-6800 or 800-735-2900 TTY, by email [bocinfo@bentoncountyor.gov](mailto:bocinfo@bentoncountyor.gov), or on the County's website at <https://boc.bentoncountyor.gov/contact/>.

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session; however, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)), and the notice shall state the specific reason for the executive session as required by ORS 192.660.

### 1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

### 2. Review and Approve Agenda

Chair may alter the Agenda

### 3. Proclamations

- 3.1 Proclaiming March 2024 as Women's History Month, Proclamation #P2024-003 – Xanthippe Augerot, Board of Commissioners

### 4. Comments from the Public

Time restrictions may be imposed on public comment, dependent on the business before the Board of Commissioners. Individual comment may be limited to three minutes.

## 5. Work Session

- 5.1 30 minutes – January 2024 Ice Storm After Action Report – Bryan Lee, Emergency Manager, Sheriff’s Office; April Holland, Health Services

## 6. Consent Calendar

- 6.1 Application for New Outlet, Distillery Primary Location and Limited On-premises for Aaron Tull dba Aaron's Home Spirits
- 6.2 Approval of the January 2, 2024 Tuesday Board Meeting Minutes

## Public Hearings

(Hearings are heard at 11:00 a.m., time certain or as soon thereafter as the matter may be heard)

**Those wishing to speak should sign the “Public Comment” sign-in sheet; thank you.**

- PH 1 10 minutes – In the Matter of a Second Public Hearing Regarding a Community Development Block Grant: Rental and Housing COVID-19 Emergency Project – Rick Crager, Financial Services

## 8. Old Business

- 8.1 45 minutes – Approval of Revised Disposal Site Advisory Committee (DSAC) Bylaws – Darren Nichols, Community Development; Ken Eklund, DSAC Chair
- 8.2 30 minutes – Recommendation for Selection of Sustainable Materials Management Plan (SMMP) Consultant – Darren Nichols, Community Development; Gabby Dibble, Financial Services; Steve Chase, SMMP Task Force Chair

## 9. Other

ORS 192.640(1)” . . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”

## 10. Executive Session

The Board will meet under ORS 192.660[2][d] – Labor Negotiations

# PROCLAMATION



**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

**In the Matter of Proclaiming March 2024 as        )**  
**Women’s History Month in Benton County        )        Proclamation No. P2024-003**

Women’s History Month is a celebration of the invaluable contributions made by women to American history, culture, and society.

President Carter was the first to proclaim National Women’s History Week in 1980, celebrated the week of March 8 to correspond with International Women’s Day. Women’s History Month was designated by Congress in 1987 and has been observed annually throughout the month of March in the United States, serving as a time for recognition, reflection, and appreciation.

Recognizing the achievements of women in all facets of life – science, community, government, literature, art, sports, medicine – has a huge impact on the development of self-respect and new opportunities for girls and young women. We seek to elevate positive role models for women, by highlighting the stories of our foremothers, the challenges they faced, and the accomplishments they have achieved.

The theme designated by the National Women's History Alliance for the 2024 observation is “Women Who Advocate for Equity, Diversity and Inclusion.” Women play a pivotal role in promoting fairness, embracing diversity, and fostering inclusivity in our communities and institutions. Many feel the critical need to speak up and work harder for fairness in our institutions, economy, and social interactions.

We celebrate women who lead by example through their commitment to embrace everyone and exclude no one in our common quest for freedom and opportunity. Locally, we celebrate the accomplishments and leadership of historical figures such as Leticia Carson and Governor Barbara Roberts, our own Annabelle Jaramillo and the first woman of color President of Oregon State University, Dr. Jayathi Murthy.

THEREFORE, BE IT PROCLAIMED March 2024 as Women’s History Month. Let us take this opportunity to celebrate the remarkable contributions of women throughout history and to reaffirm our commitment to achieving gender equality, diversity, and inclusion in all aspects of our society.

Adopted this 5<sup>th</sup> day of March, 2024.

Signed this 5<sup>th</sup> day of March, 2024.

BENTON COUNTY BOARD OF COMMISSIONERS

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Xanthippe Augerot, Chair

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Nancy Wyse, Vice Chair

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Pat Malone, Commissioner

# **WORK SESSION**

## **Work Session**

- 5.1 30 minutes – January 2024 Ice Storm After Action Report – Bryan Lee, Emergency Manager, Sheriff's Office; April Holland, Health Services

# CONSENT CALENDAR



## BOC Agenda Checklist Master

## Agenda Placement and Contacts

**Suggested Agenda Date** 03/05/24

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Sheriff's Office

**Contact Name \*** Dawn Dale

**Phone Extension \*** 6884

**Meeting Attendee Name \*** Dawn Dale

Agenda Item Details 

**Item Title \*** Application for New Outlet, Distillery Primary Location and Limited On-Premises for Aaron Tull dba Aaron's Home Spirits

**Item Involves \*** Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other Consent Calendar - Oregon Liquor and Cannabis Commission Application

**Estimated Time \*** 5 minutes

**Board/Committee Involvement \***  Yes  
 No

Advertisement\*

Yes

No

## Issues and Fiscal Impact

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### Item Issues and Description

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#### Identified Salient Issues \*

- Aaron Tull, dba Aaron's Home Spirits, has applied for a New Outlet, Distillery Primary Location, and Limited On-Premises Liquor License.
- The distillery's location is 5350 NW Highway 99, Corvallis, OR 97330.
- As of February 1, 2023, OAR 845-005-0312(2)(a) requires applicants for an annual license or request for change to license must first get the recommendation from the local government included on the Liquor License Application before submitting it to Oregon Liquor and Cannabis Commission (OLCC).
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- ORS 471.166 requires the applicant for a license to acquire a written recommendation from the governing body of the county. The OLCC may take that written recommendation into consideration before granting or refusing a license.

The local government may take one of three actions on an application within 45 days of receipt:

1. File a favorable recommendation with the OLCC regarding this application.
2. Request OLCC to grant additional time to study the application prior to making a recommendation.
3. File an unfavorable recommendation with the OLCC along with a statement of the grounds for the unfavorable recommendation.

Note: Applicant has passed all background checks.

#### Options \*

1. File a favorable recommendation with the OLCC regarding this application.
2. Request that the OLCC grant additional time to study the application prior to making a recommendation.
3. File an unfavorable recommendation with the OLCC along with a statement of the grounds for the unfavorable recommendation.

#### Fiscal Impact \*

- Yes
- No

## 2040 Thriving Communities Initiative

**Mandated Service? \***  Yes  
 No

## 2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

**Mandated Service Description \*** If this agenda checklist describes a mandated service or other function, please describe here.

845-005-0312

Application for Issuance of an Annual License or Request for Change to License  
 (2) In order to accept an application for issuance of an annual license, an applicant must submit to the Commission at a minimum the edition of the Liquor License Application form posted on the Commission's website that has been completed and includes from the local government as described in OAR 845-005-0304 either:  
 (a) The local government's written recommendation;

845-005-0308

Valid Bases for Adverse Local Government Recommendations and for Commission Use of Information Received from the Public  
 (1) ORS 471.166(1) authorizes the Commission to take into consideration the recommendation of the local governing body before granting or denying a license. ORS 471.166(5) requires the Commission to state by rule the valid grounds for a local governing body's unfavorable recommendation on any license application, and requires the Commission to limit valid grounds to those considered by the Commission in making an unfavorable determination on a license application.  
 (2) For purposes of this rule an unfavorable determination is license refusal or license restriction.  
 (3) For the unfavorable recommendation of a local governing body to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0325 or 845-005-0326, or the license restriction bases of 845-005-0355, and must be supported by reliable factual information.  
 (4) Organizations, facilities, government agencies, or individuals may give the Commission reliable factual information concerning whether there is a basis to grant or deny a license or to impose license restrictions under the laws specified in section (3) of this rule. Reliable factual information includes personal observations of activities in or around the proposed licensed location, as opposed to opinion, hearsay, feelings, beliefs or speculation.  
 471.166 Local government recommendations on license issuance and renewal; rules; fees. (1) The Oregon Liquor and Cannabis Commission may require that every applicant for issuance or renewal of a license under this chapter acquire a written recommendation from the governing body of the county if the place of business of the applicant is outside an incorporated city, and from the city council if the place of business of the applicant is within an incorporated city. The commission may take such written recommendation into consideration before granting or refusing the license.  
 (2) If the commission requires that an applicant for issuance of a new license acquire the written recommendation of a local government, the applicant must give notice to the local government when an application is made for issuance of the license. If the local government files a favorable recommendation with the commission within 45 days after the notice is given, the commission shall proceed with consideration of the application. The commission shall proceed with consideration of the application as though the local government had made a favorable recommendation unless, within 45 days after notice is given to the local

government:

(a) The local government files an unfavorable recommendation with the commission with a statement of the grounds for the unfavorable recommendation;

or

(b) The local government files a request for additional time with the commission that sets forth the reason additional time is needed by the local government, a statement that the local government is considering making an unfavorable recommendation on the application, and the specific grounds on which the local government is considering making an unfavorable recommendation.

(3) If the commission requires that an applicant for renewal of a license acquire the written recommendation of a local government under this section, the commission shall give notice to the local government when an application is due for renewal of the license. If the local government files a favorable recommendation with the commission within 60 days after the notice is given, the commission shall proceed with consideration of the application. The commission shall proceed with consideration of the application as though the local government had made a favorable recommendation unless within 60 days after notice is given to the local government:

(a) The local government files an unfavorable recommendation with the commission with a statement of the grounds for the unfavorable recommendation;

or

(b) The local government files a request for additional time with the commission that sets forth the reason additional time is needed by the local government, a statement that the local government is considering making an unfavorable recommendation on the application, and the specific grounds on which the local government is considering making an unfavorable recommendation.

(4) The commission shall suspend consideration of an application subject to this section for a reasonable period of time if a local government requests additional time under subsection (2)(b) or (3)(b) of this section and the grounds given by the local government are valid grounds for an unfavorable determination under this chapter or rules adopted by the commission. The commission shall by rule establish the period of time that shall be granted to a local government pursuant to a request under subsections (2)(b) and (3)(b) of this section.

(5) The commission shall by rule establish valid grounds for unfavorable recommendations by local governments under this section. Valid grounds established by the commission under this section for an unfavorable recommendation by a local government must be limited to those grounds considered by the commission in making an unfavorable determination on a license application.

(6) A person filing an application for issuance or renewal of a license that is subject to this section must remit to the local government the fees established under subsections (7) and (8) of this section. The commission shall give notice to the applicant for license renewal of the amount of the fees and the name of the local government collecting the fees. The commission is not responsible for collecting the fees charged by the local government or for ensuring that the fees have been paid. An applicant for a license renewal shall certify in the application form filed with the commission that the applicant has paid any fees required under this section.

(7) An applicant required to seek a written recommendation from a local government must pay an application fee to the local government, in an amount determined by the governing body of the city or county, for each application for a license. The application fee established by a local government under this subsection may not exceed \$25.

(8) After public notice and hearing, the governing body of a city or county may adopt an ordinance, rule or resolution prescribing licensing guidelines to be followed in making recommendations on license applications under this chapter and in allowing opportunity for public comment on applications. If the guidelines are approved by the commission as consistent with commission rules, after public notice and hearing the governing body may adopt an ordinance, rule or regulation establishing a system of fees that is reasonable and necessary to pay expenses of processing the written recommendation. Processing fees under this subsection are

in lieu of fees under subsection (7) of this section. In no case shall the processing fee under this subsection be greater than \$100 for an original application, \$75 for a change in ownership, change in location or change in privilege application, and \$35 for a renewal or temporary application. [1999 c.351 §20; 2003 c.337 §1; 2021 c.351 §49]

471.313 Grounds for refusing to issue license or for issuing restricted license. The Oregon Liquor and Cannabis Commission may refuse to issue a license, or may issue a restricted license, to any applicant under the provisions of this chapter if the commission has reasonable ground to believe any of the following to be true:

(1) That there are sufficient licensed premises in the locality set out in the application, or that the granting of a license in the locality set out in the application is not demanded by public interest or convenience. In determining whether there are sufficient licensed premises in the locality, the commission shall consider seasonal fluctuations in the population of the locality and shall ensure that there are adequate licensed premises to serve the needs of the locality during the peak seasons.

(2) That the applicant has not furnished an acceptable bond as required by ORS 471.311 or is not maintaining the insurance or bond required by ORS 471.168.

(3) That, except as allowed by ORS 471.392 to 471.400, any applicant to sell at retail for consumption on the premises has been financed or furnished with money or property by, or has any connection with, or is a manufacturer of, or wholesale dealer in, alcoholic liquor.

(4) That the applicant:

(a) Is in the habit of using alcoholic beverages, habit-forming drugs or controlled substances to excess.

(b) Has made false statements to the commission.

(c) Is incompetent or physically unable to carry on the management of the establishment proposed to be licensed.

(d) Has been convicted of violating a general or local law of this state or another state, or of violating a federal law, if the conviction is substantially related to the fitness and ability of the applicant to lawfully carry out activities under the license.

(e) Has maintained an insanitary establishment.

(f) Is not of good repute and moral character.

(g) Did not have a good record of compliance with the alcoholic liquor laws of this state and the rules of the commission when previously licensed.

(h) Is not the legitimate owner of the business proposed to be licensed, or other persons have ownership interests in the business which have not been disclosed.

(i) Is not possessed of or has not demonstrated financial responsibility sufficient to adequately meet the requirements of the business proposed to be licensed.

(j) Is unable to read or write the English language or to understand the laws of Oregon relating to alcoholic liquor or the rules of the commission.

(5) That there is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises proposed to be licensed or involving patrons of the establishment in the immediate vicinity of the premises if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior which is grounds for refusal of a license under this section, where so related to the sale or service of alcohol, includes, but is not limited to obtrusive or excessive noise, music or sound vibrations; public drunkenness; fights; altercations; harassment; unlawful drug sales; alcohol or related litter; trespassing on private property; and public urination. Histories from premises currently or previously operated by the applicant may be considered when reasonable inference may be made that similar activities will occur as to the premises proposed to be licensed. The applicant may overcome the history by showing that the problems are not serious or persistent or that the applicant demonstrates a willingness and ability to control adequately the premises proposed to be licensed and patrons' behavior in the immediate vicinity of the premises which is related to the licensee's sale or service of alcohol under the licensee's exercise of the license privilege. [Formerly 471.295; 2001

## Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

### Core Values \*

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values  
Selections \* N/A

### Focus Areas and Vision \*

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

Explain Focus Areas  
and Vision  
Selection \* N/A

## Recommendations and Motions

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### Item Recommendations and Motions

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**Staff** Sheriff Jef Van Arsdall recommends approval of this license.

**Recommendations \***

**Meeting Motions \*** I move to ...

...approve the application for Aaron Tull dba Aaron's Home Spirits for a New Outlet, Primary Location Distillery, Limited On-Premises liquor license.

### Staff Recommendations

Sheriff Jef Van Arsdall recommends approval of this license.

### Meeting Motion

I move to approve the application for Aaron Tull dba Aaron's Home Spirits for a New Outlet, Primary Location Distillery, Limited On-Premises liquor license.



# Attachments, Comments, and Submission

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## Item Comments and Attachments

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**Attachments**

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.





Hull Liquor License OLCC application.pdf	1.6MB
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**Comments (optional)**

If you have any questions, please call ext.6800

**Department Approver**

JEFRI VANARSDALL

<p>1.</p> <p><u>Department Approval</u></p> <p>Comments</p> <p>Signature </p>	<p>5.</p>
<p>2.</p> <p><u>Counsel Approval</u></p> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <p><u>County Administrator Approval</u></p> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <p><u>BOC Final Approval</u></p> <p>Comments</p> <p>Signature </p>	

# LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

- [New Outlet](#) |  [Change of Ownership](#) |  [Greater Privilege](#) |  [Additional Privilege](#)

Select the license type you are applying for.

More information about all license types is available [online](#).

### Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

### Winery

- Primary location
- Additional locations:  2nd  3rd  4th  5th

### Brewery

- Primary location
- Additional locations:  2nd  3rd

### Brewery-Public House

- Primary location
- Additional locations:  2nd  3rd

### Grower Sales Privilege

- Primary location
- Additional locations:  2nd  3rd

### Distillery

- Primary location
- Additional tasting locations: (Use the DISTT form [HERE](#))

### Limited On-Premises

- Off Premises
- Warehouse
- Wholesale Malt Beverage and Wine

### LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT  
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

*Benton County*

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received: *2/9/24*

Optional: Date Stamp Received Below

- Recommend this license be granted
- Recommend this license be denied
- No Recommendation/Neutral

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## Aaron's Home Spirits

Trade Name

# LIQUOR LICENSE APPLICATION

## APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

Aaron Tull

Name of entity or individual applicant #2:

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

## BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Aaron's Home Spirits

Premises street address (The physical location of the business and where the liquor license will be posted):

5350 NW Highway 99

City:

Corvallis

Zip Code:

97330

County:

Benton

Business phone number:

541-990-4607

Business email:

aaron.tull@Ymail.com

Business mailing address (where we will send any items by mail as described in [OAR 845-004-0065\[1\]](#)):

5350 NW Highway 99

City:

Corvallis

State:

OR

Zip Code:

97330

Does the business address currently have an OLCC liquor license?  Yes  No

Does the business address currently have an OLCC marijuana license?  Yes  No

**APPLICATION CONTACT INFORMATION** – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:

Aaron Tull

Phone number:

541-990-4607

Email:

aaron.tull@Ymail.com

## TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

## ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
  1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
  2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
  3. The licensed premises at the premises street address proposed to be licensed either:
    - a. Does not include any common areas; or
    - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
  4. The licensed premises at the premises street address either:
    - a. Has no area on property controlled by a public entity (like a city, county, or state); or
    - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

**Applicant Signature(s):** Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

• Each applicant listed in the "Application Information" section of this form has read and understands [OAR 845-006-0362](#) and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Aaron Tull

December 25, 2023

Applicant name	Signature	Date
Applicant name	Signature	Date
Applicant name	Signature	Date
Applicant name	Signature	Date

**Applicant/Licensee Representative(s):** If you would like to designate a person/entity to act on your behalf you must complete the [Authorized Representative Form](#). You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

*Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.*

Aaron R. Tull  
5350 NW Highway 99  
Corvallis, OR 97330  
Phone: 541-990-4607  
Email: [aaron.tull@Ymail.com](mailto:aaron.tull@Ymail.com)

Monday, February 5, 2024

Benton County Sheriff's Office  
ATTN: Liquor License  
180 NW 5<sup>th</sup> Street  
Corvallis, OR 97330

Hello, Benton County Sheriff's Office:

Please find my enclosed Liquor License Endorsement Application and the OLCC Liquor License Application.

I wanted to let you know a little about me and why I'm applying for a liquor license. I am a longtime resident of Corvallis, born and raised here, with my father also living in town. In recent years I've enjoyed many hours of grilling and cooking some amazing food, also doing my best to learn new recipes like my latest venture of making homemade bread. So far, I've seen decent success, with only the occasional recipe flopping on me. Thankfully, I have a loving family and hungry friends who seem to enjoy everything I put in front of them.

Over the recent years, I found making my own food has been greatly rewarding and something I can share with family and friends. I enjoy making something others can enjoy with me. In line with my pastime of making delicious food, I would really like to try making a batch of distilled spirits to see if I can be successful with this craft as well. I've never tried making distilled spirits and I don't own any distilling equipment, so I'll be starting this completely from scratch, if I'm approved. I have a friend who is an award-winning master distiller and I'm hoping he can provide me with a recipe or two and guide me in the process of making my first batch at my personal residence.

I want to make sure I am completely legal in this process, which is why I'm submitting my application to you and OLCC. Anything I make will only be for personal consumption. It won't be for sale. I have already reached out to OLCC in Portland and spoke with John Hill, phone number: 971-801-5322, who said I could use him as my OLCC contact. Please call, text or email me if you have any questions. Thank you for your time and consideration.

Sincerely,



Aaron R. Tull

Enclosure

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**MINUTES OF THE MEETING**  
**BENTON COUNTY BOARD OF COMMISSIONERS**  
Livestream: <http://facebook.com/BentonCoGov>  
Tuesday, January 2, 2024  
9:00 a.m.

**Present:** Pat Malone, Chair; Xanthippe Augerot, Commissioner; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Rachel McEneny, County Administrator; Rick Crager, Acting County Administrator/Chief Financial Officer

**Staff:** Tomi Douglas, Natural Areas, Parks & Events; Cory Grogan, Public Information Officer; Maura Kwiatkowski, Amanda Makepeace, BOC Staff; Sean McGuire, Sustainability; Erika Milo, BOC Recorder

**Guests:** Ken Eklund, Becky Merja, Debbie Palmer, residents; John Harris, Horsepower Productions

**1. Opening:**  
**1. Call to Order**

Chair Malone called the meeting to order at 9:02 a.m.

**2. Introductions**  
**3. Announcements**

No announcements were made.

**2. Election of the 2024 Board Chair and Vice Chair**

**MOTION:** Wyse moved to nominate Augerot as Chair and Wyse as Vice Chair. Augerot seconded the motion, which **carried, 3-0.**

**3. Review & Approve Agenda**

No changes were made to the agenda.

**4. \*Comments from the Public**

Ken Eklund, Benton County resident, Disposal Site Advisory Committee (DSAC) Chair, shared the draft 2021 Community Concerns Annual Report (exhibit 1), containing concerns expressed by the community about Coffin Butte Landfill (CBL) in 2021. DSAC can review and finalize this report as soon as the Board unsuspends DSAC. Community Development Director Darren Nichols earlier stated that DSAC was delaying this report; Eklund asserted this is not true. In September 2023, Former Solid Waste Coordinator Daniel Redick asked Eklund to take over drafting this report, and neither Redick nor Nichols had checked in since. Eklund described Nichols' allegations about DSAC in late November 2023 as mudslinging. Eklund expressed support for previous testimony on this topic from residents Mark Yeager, Joel Geier, and Marge Popp. Eklund added that since Nichols' description of the report status was inaccurate, it is likely that the other accusations about DSAC are erroneous. Eklund looked forward to being part of a positive, productive future on DSAC when it resumes.

**{Exhibit 1: Draft 2021 Community Concerns Annual Report}**



Augerot shared that the County is hiring for the Solid Waste Coordinator position, and DSAC meetings will resume when staff have capacity. The Board recognizes the tense and fractious nature of the relationship and has every intention of healing that rift to the best of their ability.

**5. Consent Calendar**

**5.1 In the Matter of Setting the Board of Commissioners Meeting Schedule for 2024, Order No. D2024-001**

**5.2 In the Matter of Designating the 2024 Official Newspaper for Benton County, Order No. D2024-015**

**5.3 In the Matter of Designating the 2024 Official Newspaper for the Board of Health, Order No. D2024-023**

**5.4 In the Matter of Designating the 2024 Official Newspaper for the Contract Review Board, Order No. D2024-024**

**MOTION:** Malone moved to approve the Consent Calendar of January 2, 2024. Wyse seconded the motion, which **carried 3-0.**

**6. Old Business**

**6.1 Second Reading and Adoption of Ordinance #2023-0322 Amending Benton County Code, Chapter 9 – Tomi Douglas, Natural Areas, Parks, and Events; Vance M. Cronney, County Counsel**

Counsel explained that the first reading of the Ordinance was held on December 19, 2023.

Douglas added that the Ordinance is identical to the one discussed at the previous meeting, except for the addition of the word ‘only’ in one sentence.

**MOTION:** Wyse moved to conduct the second reading of Ordinance #2023-0322. Malone seconded the motion, which **carried 3-0.**

Counsel read the Ordinance aloud (short title). Effective date February 1, 2024.

**7. New Business**

**7.1 In the Matter of a Resolution in Support of the Due Process Continuity of Care Act, Resolution #R2024-001 – Xanthippe Augerot, Commissioner**

Augerot explained that this matter arose through her membership in the National Association of Counties (NACo) Criminal Justice Committee; the issue has been of concern to counties around the country for many years. Under the Federal Medicaid Inmate Exclusion Policy, section 1905(a)(A) of the Social Security Act, adults-in-custody lose Medicare/Medicaid benefits as soon as they are jailed, even if they have not been convicted. This puts a heavy burden on local jails for the cost of medical care, and on the individual, disrupting any medical care they are receiving. Once the individual is released, they must repeat the process of obtaining coverage. Several bills are pending in Congress to address this issue. NACo is a strong proponent of passing these bills to help support better outcomes for adults-in-custody. Augerot drafted a letter, based on the NACo draft, asking Benton County’s delegation in the House and Senate to support this legislation.

**MOTION:** Malone moved to approve a Resolution in support of the Due Process Continuity of Care Act, Resolution #R2024-001. Wyse seconded the motion, which **carried 3-0.**

**7.2 In the Matter of Appointing a Benton County Commissioner to a ‘County Not Otherwise Represented’ Seat on the Association of Oregon Counties 2024 Legislative Committee – Xanthippe Augerot, Commissioner**

The Board discussed which Commissioner would be appointed. Malone offered to serve.

**MOTION:** Wyse moved to nominate Malone to a ‘County Not Otherwise Represented’ seat on the Association of Oregon Counties 2024 Legislative Committee. Augerot seconded the motion, which **carried 3-0.**

**8. Other**

The Board expressed support for sponsoring a table at the Celebrate Corvallis event. Funds were already budgeted for this purpose.

**9. Adjournment**

Chair Augerot adjourned the meeting at 9.18 a.m.

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Xanthippe Augerot, Chair

---

Erika Milo, Recorder

*\* NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

# **PUBLIC HEARING**

## BOC Agenda Checklist Master

### Agenda Placement and Contacts

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**Suggested Agenda Date** 03/05/24

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Finance

**Contact Name \*** Lindsey Goodman for Rick Crager

**Phone Extension \*** 5417606550

**Meeting Attendee Name \*** Rick Crager

### Agenda Item Details

**Item Title \*** Community Development Block Grant - Rental and Housing COVID-19 Emergency Project

- Item Involves \*** Check all that apply
- Appointments
  - Budget
  - Contract/Agreement
  - Discussion and Action
  - Discussion Only
  - Document Recording
  - Employment
  - Notice of Intent
  - Order/Resolution
  - Ordinance/Public Hearing 1st Reading
  - Ordinance/Public Hearing 2nd Reading
  - Proclamation
  - Project/Committee Update
  - Public Comment
  - Special Report
  - Other

**Estimated Time \*** 5 minutes

**Board/Committee Involvement \***  Yes  No

**Advertisement\***

Yes

No

**Names/Dates of  
Publications**

List each publication name and date  
Notice posted on website 02/14/24

## Issues and Fiscal Impact

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### Item Issues and Description

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**Identified Salient Issues\***

Benton County is completing a Rental and Housing COVID-19 Emergency project with Community Development Block Grant funds from the Oregon Business Development Department. It is estimated the project has benefited at least 140 persons, of whom 100% are low or moderate income.

The purpose of the hearing is for Benton County to obtain citizens' views about the project and to take comments about the local government's performance.

**Options\***

Accept report as presented.

Decline report as presented.

**Fiscal Impact\***

Yes

No

# 2040 Thriving Communities Initiative

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**Mandated Service? \***  Yes  No

## 2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

### Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

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**Core Values \*** Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

**Explain Core Values Selections \*** Provide rental and housing assistance to low or moderate income persons and families.

**Focus Areas and Vision \*** Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

**Explain Focus Areas and Vision Selection \*** N/A

## Recommendations and Motions

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### Item Recommendations and Motions

---

**Staff Recommendations \*** Staff recommends approval of the report as presented.

**Meeting Motions \*** I move to ...  
...approve the report as presented.

**Staff Recommendation**  
Staff recommends approval of the report as presented.

**Meeting Motion**  
I move to approve the report as presented.



## Attachments, Comments, and Submission

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### Item Comments and Attachments

---

**Attachments**

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

CDBG Rental and Housing.pdf

37.43KB

**Comments (optional)** We are waiting on the Spanish notice from Translation Services; it will be sent over as soon as we have it.

If you have any questions, please call ext.6800

**Department Approver**

RICHARD CRAGER

1.

## Department Approval

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Comments

Signature

*Rick Crager*

2.

## Counsel Approval

---

Comments

Signature

*Vance H. Choney*

3.

## County Administrator Approval

---

Comments

Signature

*Rachel L McEneny*

4.

## BOC Final Approval

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Comments

Signature

*Hanna Kwiatkowski*



# **Community Development Block Grant – Rental and Housing COVID-19 Emergency Project**

Presented By: Rachael Maddock-Hughes and Rick Crager

03/05/2024



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# CDBG COVID-19 Emergency Rental Assistance Benton and Linn Counties

- Total grant award: \$485,000
  - \$400,000 direct rental/mortgage/utility funding
  - \$50,000 Program coordination
  - \$35,000 administration



---

## Results: 132 families served in Benton (110) and Linn (22) Counties

### Race and Ethnicity

- Black: 12
- Indigenous: 6
- Persons of color (not specified): 10
- White: 104
- Hispanic: 27
- Non-Hispanic: 105



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## Results:

- Rental Assistance: \$349,092
- Mortgage Assistance: \$29,314
- Utility Assistance: \$21,594

## **2<sup>nd</sup> Public Hearing Notice – CDBG Rental and Housing**

Benton County is completing a Rental and Housing COVID-19 Emergency project with Community Development Block Grant (CDBG) funds from the Oregon Business Development Department. The location of the project was Benton County. It is estimated the project has benefited at least 140 persons of whom 100% are low or moderate income.

A public hearing will be held by the County on March 5, 2024 at 4500 SW Research Way Corvallis, Oregon 97333.

The meeting can be accessed remotely via the following Zoom link: <https://us06web.zoom.us/j/89173820163?pwd=ZtdH3MJxc5RamjJpHurTQmbaWpeeHB.1>

The purpose of the hearing is for Benton County to obtain citizens' views about the project and to take comments about the local government's performance. Written comments are also welcome and must be received by March 5, 2024 at 9:00 am PST at 4500 SW Research Way Corvallis, Oregon 97333. Both oral and written comments will be reviewed by the County.

The location of the hearing is accessible to the disabled. Please contact Lindsey Goodman at [lindsey.goodman@bentoncountyor.gov](mailto:lindsey.goodman@bentoncountyor.gov) if you need special accommodations to attend or participate in the hearing.

More information about the Oregon Community Development Block Grant program and the project is available for public review at 4500 SW Research Way Corvallis, Oregon 97333 during regular business hours. Advance notice is requested.

## **Aviso de segunda audiencia pública – CDBG alquiler y vivienda**

El condado de Benton está completando un proyecto de emergencia de alquiler y vivienda por COVID-19 con fondos del Programa de subvenciones en bloque para el desarrollo de la comunidad (Community Development Block Grant Program) del Departamento de Desarrollo de Negocios de Oregón (Oregon Business Development Department). El lugar del proyecto fue: Condado de Benton. Se calcula que el proyecto benefició al menos a (140) personas de las que el (100%) son de ingresos bajos o moderados.

El condado hará una audiencia pública el 5 de marzo de 2024 en 4500 SW Research Way Corvallis, Oregón 97333.

Se puede acceder a la reunión de forma remota a través del siguiente enlace de Zoom:

<https://us06web.zoom.us/j/89173820163?pwd=ZtdH3MJxc5RamjIpHurTQmbaWpeeHB.1>

El propósito de la audiencia es que el condado de Benton obtenga las opiniones de los ciudadanos sobre el proyecto y reciba comentarios sobre el desempeño del gobierno local. Los comentarios escritos también son bienvenidos y deben recibirse antes del 5 de marzo de 2024 a las 9 a. m. PST en 4500 SW Research Way Corvallis, Oregón 97333. El Condado revisará los comentarios orales y escritos.

El lugar de la audiencia es accesible para personas discapacitadas. Informe a Lindsey Goodman en [lindsey.goodman@bentoncountyor.gov](mailto:lindsey.goodman@bentoncountyor.gov) si necesita alguna adaptación especial para asistir o participar en la audiencia.

Puede encontrar más información sobre el Programa de subvenciones en bloque para el desarrollo de la comunidad de Oregón y el proyecto para revisión pública en 4500 SW Research Way Corvallis, Oregón 97333 durante el horario de atención habitual. Se solicita aviso previo.



# **OLD BUSINESS**

# BOC Agenda Checklist Master

## Agenda Placement and Contacts

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**Suggested Agenda Date** 03/05/24

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Community Development

**Contact Name \*** Darren Nichols

**Phone Extension \*** 5417666819

**Meeting Attendee Name \*** Darren Nichols

## Agenda Item Details



**Item Title \*** Revised Bylaws - Disposal Site Advisory Committee

**Item Involves \*** Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

**Estimated Time \*** 20 minutes

**Board/Committee Involvement \***  Yes  No

**Name of  
Board/Committee**

Disposal Site Advisory Committee

**Advertisement\***

Yes

No

## Issues and Fiscal Impact

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### Item Issues and Description

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**Identified Salient Issues \***

In November 2023, the Board of Commissioners heard concerns about the functions and operations of the Disposal Site Advisory Committee and directed staff to return with revised bylaws to improve the Committee's operations and function.

The attached bylaws incorporate input from the Board, Board staff, the Committee Chair, and Community Development Department staff. The revised bylaws follow Oregon statutes and address the efficient and safe operation of the Committee, the Board and staff.

The revised bylaws provide additional guidance to the Committee and staff and seek to address the following:

- Community health and safety
- Workplace support and safety
- Leadership and collaborative governance
- Inclusive community engagement
- Safe public spaces and public processes
- Open, constructive dialogue

**Options \***

The Board may choose to:

- review the revised draft bylaws;
- provide additional input into the bylaws;
- adopt the revised bylaws; or
- take other actions to address the operations of the Committee.

**Fiscal Impact \***

- Yes  
 No

**Fiscal Impact Description \***

Staff does not anticipate any direct fiscal impacts as a result of the adoption of these revised bylaws.

To address the needs of the solid waste management program, however, may require an investment of County resources, possibly including but limited to additional staffing, contract services, additional support for existing and proposed committees, or other core investments.

## 2040 Thriving Communities Initiative

**Mandated Service? \***  Yes  
 No

### 2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

**Mandated Service Description \*** If this agenda checklist describes a mandated service or other function, please describe here.  
 Benton County is responsible to implement certain elements of its solid waste program consistent with guidance in Oregon state law. ORS 459.320-330  
[https://www.oregonlegislature.gov/bills\\_laws/ors/ors459.html](https://www.oregonlegislature.gov/bills_laws/ors/ors459.html)

### Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

**Core Values \*** Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- NA

**Explain Core Values Selections \*** Solid waste and sustainable materials management impact nearly every aspect of life in Benton County and the mid-Willamette Valley. Benton County's leadership on these issues is fundamental to the health and safety of the community and directly reflects our community's core values.

**Focus Areas and Vision \*** Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- NA

**Explain Focus Areas and Vision Selection \*** Solid waste and sustainable materials management impact nearly every aspect of life in Benton County and the mid-Willamette Valley. Benton County's leadership on these issues is fundamental to the health and safety of the community.

## Recommendations and Motions

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### Item Recommendations and Motions

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**Staff Recommendations\*** Staff recommends the Board review the attached revised bylaws.

**Meeting Motions\*** I move to ...  
... adopt the revised Disposal Site Advisory Committee bylaws.

### **Staff Recommendation**

Staff recommends the Board adopt the attached revised bylaws.

### **Meeting Motion**

I move to adopt the revised Disposal Site Advisory Committee bylaws.

# Attachments, Comments, and Submission

---

## Item Comments and Attachments

---

**Attachments**

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

DRAFT DSAC By-Laws - for BOC review	139.13KB
3.5.2024.pdf	
DRAFT DSAC By-Laws red line - for BOC review	117.12KB
3.5.2024.pdf	
ORS 459.320-330.pdf	432.73KB

**Comments (optional)**


The following materials are attached:

- A clean version of the proposed revised bylaws;
- A red line version of the proposed revised bylaws; and
- ORS 459.320-330.

If you have any questions, please call ext.6800

**Department  
Approver**

AMANDA MAKEPEACE

<p>1. Dept Approval</p> <hr/> <p><b>Department Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <hr/> <p><b>BOC Final Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <hr/> <p><b>Counsel Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <hr/> <p><b>Finance Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <hr/> <p><b>County Administrator Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	



**BYLAWS  
DISPOSAL SITE ADVISORY COMMITTEE**

**ARTICLE 1**

**Name**

The name of this organization shall be the Disposal Site Advisory Committee (the "Committee").

**ARTICLE 2**

**Function**

Under the authorities and responsibilities in Oregon Revised Statutes (ORS), the Benton County Board of Commissioners (Board) hereby establishes and charges a Board-appointed Disposal Site Advisory Committee (Committee) to advise the Board and support the County in fulfilling its mandates under ORS 459.320-330.

The Committee ~~is a public body that reports to the Community Development Department, which shall prescribe its functions and duties. The~~ Benton County Board of Commissioners through the Benton County Community Development Department (Department). ~~may also~~ The Board may direct the Community Development ~~Department~~ Director (Director) to prescribe the duties ~~of~~ the Committee. At a minimum, ~~and~~ pursuant to ORS 459.325, the Committee's functions shall include ~~(but are not limited to) the following:~~

- (1) Reviewing ing with the permittee, of the regional disposal site, issues including but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and
- (2) Providing a forum for community comments, questions and concerns about the regional disposal site and promoting a dialogue between the community in which the regional disposal site is located and the owner or operator of the regional disposal site (permittee, franchisee). Provide a forum for community member comments, questions and concerns about the regional disposal site and promote a dialogue between the community and the owner or operator of the regional disposal site; and
- (3) Preparing e-an annual written report summarizing the local community members' concerns and the manner in which the owner or operator is addressing those concerns. The Community Development Department ~~shall~~ submit the report to the Oregon Department of Environmental Quality and to the Benton County Board of Commissioners. Pursuant to direction in ORS 459.325(2), the report shall be considered by the Oregon Department of Environmental Quality in issuing and renewing a solid waste permit under ORS 459.245 (Issuance of permits).

**ARTICLE 3**

**Membership**

Section 1. Number and Selection: The Committee shall consist of no less than ~~seven~~<sup>five</sup> (7~~5~~) and no more than eleven (11) members. ~~Members shall be~~; appointed by the Board of Commissioners from the following groups to the extent feasible:

- (1) Residents residing near or adjacent to the regional disposal site;
- (2) Owners of real property adjacent to or near the regional disposal site;
- (3) Persons who reside in or own real property within Benton County;
- (4) Employees of the permittee; and
- (5) Local organizations and citizen interest groups whose majority of members either:
  - a. Are electors of Benton County; or
  - b. Own real property in Benton County.

Any employee of the permittee who is appointed to the Committee shall assist the Committee in reviewing the regional disposal site, in responding to community comments, questions and concerns, and shall assist in promoting a constructive forum for dialogue between the community, the Committee and the owner or operator of the regional disposal site. The employee of the regional disposal site shall promptly notify the Department and the Committee when the permittee proposes to apply for a change to any state or local permit, pursuant to ORS 459.330.

The Board of Commissioners may appoint ex officio members who are entitled to participate in proceedings of the Committee but how shall not ~~to~~ vote, including but not limited to the Community Development Director or their designee; a collection and a disposal franchise holder; a person holding a permit; and a person lawfully engaged in providing recycling or reuse service or the promotion or education for such service.

Section 2. Terms of Office: Terms for members of the ~~Solid Waste Advisory Committee~~<sup>council</sup> shall be ~~two (2) years as governed by that Council's by-laws~~. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. The term of the designated employee of the permittee shall be two (2) years. Terms shall begin on January 1 and end on December 31.

Section 3. Responsibilities: Committee members shall regularly attend meetings of the Committee and any meetings of ~~the~~ subcommittees to which they are appointed and shall fulfill other duties as appointed by the Chair, ~~subject to the approval of the Community Development Director~~.

Section 4. Termination of Membership: The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend three or more consecutive regular committee meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
  - (a) Commission of a felony;
  - (b) Failure to comply with Benton County's Code of Conduct;
  - (c) Violation of open meetings law;
  - (d) Failure to declare conflicts of interest;
  - ~~(e)~~
  - (~~e~~f) Act or threat of physical harm

- (3) Without cause pursuant to Benton County Code chapter 3.035.

Section 5. Vacancies: The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

#### ARTICLE 4 Officers

The ~~Community Development Director~~ Committee shall select from the appointed members to fill the following offices prior to the first meeting of each calendar year:

Chair: ~~————~~ The Chair shall ~~have the responsibility of~~ conducting all meetings in an efficient, respectful, and orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Vice Chair: The Vice Chair shall be responsible for conducting the Committee's meetings in the absence of the Chair.

#### ARTICLE 5 Subcommittees

Section 1. Creation of Subcommittees: The Committee may, subject to the approval of the Community Development Department, ~~to~~ create subcommittees with such responsibilities as the Committee directs, ~~subject to the approval of the Community Development Director.~~

Section 2. Naming of Subcommittees: The Chair, subject to the approval of the Community Development ~~Director~~ Department, shall name, appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. Subject to the approval of the Community Development Director, the subcommittee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

#### ARTICLE 6 Advisors

~~Subject to the approval of the Community Development Department, †~~ The Committee and the subcommittees may call on lay community members and professionals as ad hoc, non-voting advisors ~~without voting rights~~ to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair, ~~and as approved by the Community Development Director.~~

#### ARTICLE 7 Meetings

Section 1. Regular Meetings: Benton County desires that ~~this~~the Committee will hold quarterly meetings. However, the number and frequency of meetings may vary from year to year. Meetings may be called by the Benton County Board of Commissioners, the Community Development Department or by the Chair, subject to the approval of the Community Development Director.

Section 2. Special Meetings: Special meetings may be called by the Chair, with the approval of the Community Development Director, by the Community Development Department, or by the Board of Commissioners by giving ~~Committee~~the members and the press written or verbal notice at least 24 hours before the meeting. The Department and the Committee shall jointly schedule meetings with the goals of supporting member attendance and facilitating timely action.

Section 3. Quorum: A quorum shall consist of a majority of the sitting members of the Committee. All business conducted with a majority vote of the quorum shall stand as the official action of the Committee.

Section 4. Voting: Each Committee member shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Section 5. Staffing: County Staff for recording shall record the proceedings of the Committee ~~shall be provided by the County.~~

Section 6. Agenda: The Committee's agendas shall be developed jointly by the Chair and the Community Development Director or their designee, consistent with the Board-directed functions of the Committee. The Chair and the Community Development Director or their designee shall add items of business as may be requested by Committee members, the Community Development Department and the Board of Commissioners. In the event of disagreement, ~~ff~~ final agenda decisions shall be made by the Community Development Director or their designee, in consultation with the Chair and with the goal of supporting Committee member interests to the extent feasible for the Department. Committee members may add items of business ~~only~~ with the concurrence of the Chair and the Community Development Director or their designee. The Board of Commissioners may add items of business at any time.

Section 7. Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Committee meeting and written or verbal notice one (1) day before a special meeting. In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than one (1) day actual notice of a special meeting, and that member objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.

Section 8. Minutes: County staff shall Mtake minutes recording all motions and subsequent Committee action(s) including the number of yes or no votes on each issue ~~shall be taken.~~ In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the Community Development Department.

**ARTICLE 8**  
**Public Records and Meeting Law**

The Committee is a public body for the purposes of ORS Chapter 192 and is subject to the statutory procedures related to public records and meetings.

**ARTICLE 9**  
**Parliamentary Procedure**

The current edition of Robert's Rules of Order shall govern the Committee where not inconsistent with these bylaws or any special rules of order the Committee shall adopt.

**ARTICLE 10**  
**Conflict of Interest**

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

**ARTICLE 11**  
**Bylaw Amendments**

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

**ARTICLE 12**  
**Code of Conduct and Ethics**

**Section 1. Conduct Guidelines:** Committee members and County staff shall adhere to ethical guidelines that promote respectful and professional behavior during all Committee activities.

**Section 2. Conflict Resolution:** Ethical guidelines dictate the establishment of a mechanism to address conflicts among Committee members, county staff or the public. The Chair, aided by the Community Development Director or their designee, is responsible for guiding conflict resolution processes with fairness and impartiality.

**Section 3. Training and Orientation:** Newly appointed Committee members shall undergo an orientation program that includes training on the Committee's mission, functions, and the importance of ethical conduct. The orientation program shall be developed by the Department, with input from Committee members. Periodic refresher training may be provided to reinforce ethical standards.

**ARTICLE 13**  
**Continuous Improvement and Evaluation**

**Section 1. Periodic Self-Evaluation:** The Committee shall conduct periodic self-evaluations to assess its effectiveness, identify areas for improvement, and, subject to the approval of the Community Development Director, may implement strategies to enhance its performance. The results of any evaluation or assessment shall be provided to the Community Development Director and to the Board of Commissioners.

**Section 2. Feedback Mechanism:** Subject to the approval of the Board of Commissioners and the Community Development Director, the Committee shall establish a mechanism for obtaining feedback from the community, and constituents ~~other key partners~~ to inform its continuous improvement efforts.

**ARTICLE 14  
Whistleblower Protection**

**Section 1. Reporting System:** An anonymous reporting system will be implemented to enable Committee members or staff to disclose any observed breaches of ethical standards or unlawful activities without facing retaliation.

**Section 2. Inquiry Procedure:** Upon receipt of a reported violation, Benton County shall activate a just and unbiased procedure ~~will be activated~~ to examine the issue, and implement necessary measures ~~will be implemented~~ to address any concerns.

Adopted this \_\_\_\_\_ day of March~~January~~, 2024.

Signed this \_\_\_\_\_ day of March~~January~~, 2024.

\_\_\_\_\_  
Xanthippe Augerot, Chair

\_\_\_\_\_  
Nancy Wyse, Vice Chair

\_\_\_\_\_  
Pat Malone, Commissioner

Approved as to form:

\_\_\_\_\_  
Vance M. Croney, Benton County Counsel

## BYLAWS

### DISPOSAL SITE ADVISORY COMMITTEE

#### ARTICLE 1

##### Name

The name of this organization shall be the Disposal Site Advisory Committee (the "Committee").

#### ARTICLE 2

##### Function

Under the authorities and responsibilities in Oregon Revised Statutes (ORS), the Benton County Board of Commissioners (Board) hereby establishes and charges a Board-appointed Disposal Site Advisory Committee (Committee) to advise the Board and support the County in fulfilling its mandates under ORS 459.320-330.

The Committee is a public body that reports to the Benton County Board of Commissioners through the Benton County Community Development Department (Department). The Board may direct the Community Development Director (Director) to prescribe the duties of the Committee. At a minimum, pursuant to ORS 459.325, the Committee's functions shall include:

- (1) Reviewing with the permittee of the regional disposal site, issues including but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and
- (2) Providing a forum for community comments, questions and concerns about the regional disposal site and promoting a dialogue between the community in which the regional disposal site is located and the owner or operator of the regional disposal site (permittee, franchisee); and
- (3) Preparing an annual written report summarizing the local community members' concerns and the manner in which the owner or operator is addressing those concerns. The Community Development Department shall submit the report to the Oregon Department of Environmental Quality and to the Benton County Board of Commissioners. Pursuant to direction in ORS 459.325(2), the report shall be considered by the Oregon Department of Environmental Quality in issuing and renewing a solid waste permit under [ORS 459.245 \(Issuance of permits\)](#).

#### ARTICLE 3

##### Membership

Section 1. Number and Selection: The Committee shall consist of no less than seven (7) and no more than eleven (11) members. Members shall be appointed by the Board of Commissioners from the following groups to the extent feasible:

- (1) Residents residing near or adjacent to the regional disposal site;
- (2) Owners of real property adjacent to or near the regional disposal site;
- (3) Persons who reside in or own real property within Benton County;
- (4) Employees of the permittee; and
- (5) Local organizations and citizen interest groups whose majority of members either:
  - a. Are electors of Benton County; or
  - b. Own real property in Benton County.

Any employee of the permittee who is appointed to the Committee shall assist the Committee in reviewing the regional disposal site, in responding to community comments, questions and concerns, and shall assist in promoting a constructive forum for dialogue between the community, the Committee and the owner or operator of the regional disposal site. The employee of the regional disposal site shall promptly notify the Department and the Committee when the permittee proposes to apply for a change to any state or local permit, pursuant to ORS 459.330.

The Board of Commissioners may appoint ex officio members who are entitled to participate in proceedings of the Committee but how shall not vote, including but not limited to the Community Development Director or their designee; a collection and a disposal franchise holder; a person holding a permit; and a person lawfully engaged in providing recycling or reuse service or the promotion or education for such service.

Section 2. Terms of Office: Terms for members of the Committee shall be two (2) years. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. The term of the designated employee of the permittee shall be two (2) years. Terms shall begin on January 1 and end on December 31.

Section 3. Responsibilities: Committee members shall regularly attend meetings of the Committee and any meetings of subcommittees to which they are appointed and shall fulfill other duties as appointed by the Chair.

Section 4. Termination of Membership: The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend three or more consecutive regular committee meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
  - (a) Commission of a felony;
  - (b) Failure to comply with Benton County's Code of Conduct;
  - (c) Violation of open meetings law;
  - (d) Failure to declare conflicts of interest;
  - (e) Act or threat of physical harm
- (3) Without cause pursuant to Benton County Code chapter 3.035.

Section 5. Vacancies: The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.



**ARTICLE 4  
Officers**

The Committee shall select from the appointed members to fill the following offices prior to the first meeting of each calendar year:

Chair: The Chair shall conduct all meetings in an efficient, respectful, and orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Vice Chair: The Vice Chair shall be responsible for conducting the Committee's meetings in the absence of the Chair.

**ARTICLE 5  
Subcommittees**

Section 1. Creation of Subcommittees: The Committee may, subject to the approval of the Community Development Department, create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees: The Chair, subject to the approval of the Community Development Director, shall name, appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. Subject to the approval of the Community Development Director, the subcommittee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

**ARTICLE 6  
Advisors**

The Committee and the subcommittees may call on lay community members and professionals as ad hoc, non-voting advisors to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair.

**ARTICLE 7  
Meetings**

Section 1. Regular Meetings: Benton County desires that the Committee will hold quarterly meetings. However, the number and frequency of meetings may vary from year to year. Meetings may be called by the Benton County Board of Commissioners, the Community Development Department or by the Chair, subject to the approval of the Community Development Director.

Section 2. Special Meetings: Special meetings may be called by the Chair, with the approval of the Community Development Director, by the Community Development Department, or by

the Board of Commissioners by giving Committee members and the press written or verbal notice at least 24 hours before the meeting. The Department and the Committee shall jointly schedule meetings with the goals of supporting member attendance and facilitating timely action.

Section 3.     Quorum: A quorum shall consist of a majority of the sitting members of the Committee. All business conducted with a majority vote of the quorum shall stand as the official action of the Committee.

Section 4.     Voting: Each Committee member shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Section 5.     Staffing: County Staff shall record the proceedings of the Committee.

Section 6.     Agenda: The Committee's agendas shall be developed jointly by the Chair and the Community Development Director or their designee, consistent with the Board-directed functions of the Committee. The Chair and the Community Development Director or their designee shall add items of business as may be requested by Committee members, the Community Development Department and the Board of Commissioners.

Final agenda decisions shall be made by the Community Development Director or their designee, in consultation with the Chair and with the goal of supporting Committee member interests to the extent feasible for the Department. Committee members may add items of business with the concurrence of the Chair and the Community Development Director or their designee. The Board of Commissioners may add items of business at any time.

Section 7.     Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Committee meeting and written or verbal notice one (1) day before a special meeting.

In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than one (1) day actual notice of a special meeting, and that member objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.

Section 8.     Minutes: County staff shall take minutes recording all motions and subsequent Committee action(s) including the number of yes or no votes on each issue. In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the Community Development Department.

## **ARTICLE 8**

### **Public Records and Meeting Law**

The Committee is a public body for the purposes of ORS Chapter 192 and is subject to the statutory procedures related to public records and meetings.

**ARTICLE 9  
Parliamentary Procedure**

The current edition of Robert's Rules of Order shall govern the Committee where not inconsistent with these bylaws or any special rules of order the Committee shall adopt.

**ARTICLE 10  
Conflict of Interest**

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

**ARTICLE 11  
Bylaw Amendments**

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

**ARTICLE 12  
Code of Conduct and Ethics**

**Section 1. Conduct Guidelines:** Committee members and County staff shall adhere to ethical guidelines that promote respectful and professional behavior during all Committee activities.

**Section 2. Conflict Resolution:** Ethical guidelines dictate the establishment of a mechanism to address conflicts among Committee members, county staff or the public. The Chair, aided by the Community Development Director or their designee, is responsible for guiding conflict resolution processes with fairness and impartiality.

**Section 3. Training and Orientation:** Newly appointed Committee members shall undergo an orientation program that includes training on the Committee's mission, functions, and the importance of ethical conduct. The orientation program shall be developed by the Department, with input from Committee members. Periodic refresher training may be provided to reinforce ethical standards.

**ARTICLE 13  
Continuous Improvement and Evaluation**

**Section 1. Periodic Self-Evaluation:** The Committee shall conduct periodic self-evaluations to assess its effectiveness, identify areas for improvement, and, subject to the approval of the Community Development Director, may implement strategies to enhance its performance. The results of any evaluation or assessment shall be provided to the Community Development Director and to the Board of Commissioners.

**Section 2. Feedback Mechanism:** Subject to the approval of the Board of Commissioners and the Community Development Director, the Committee shall establish a mechanism for obtaining feedback from the community and constituents to inform its continuous improvement efforts.

**ARTICLE 14**  
**Whistleblower Protection**

**Section 1. Reporting System:** An anonymous reporting system will be implemented to enable Committee members or staff to disclose any observed breaches of ethical standards or unlawful activities without facing retaliation.

**Section 2. Inquiry Procedure:** Upon receipt of a reported violation, Benton County shall activate a just and unbiased procedure to examine the issue, and implement necessary measures to address any concerns.

Adopted this \_\_\_\_\_ day of March, 2024.

Signed this \_\_\_\_\_ day of March, 2024.

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Xanthippe Augerot, Chair

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Nancy Wyse, Vice Chair

\_\_\_\_\_  
Pat Malone, Commissioner

Approved as to form:

\_\_\_\_\_  
Vance M. Croney, Benton County Counsel

...

**459.320 Regional disposal site advisory committee; membership; terms.** (1) Except as provided in subsection (3) or (4) of this section, the board of county commissioners of a county in which a regional disposal site is proposed to be located shall establish a local citizens advisory committee when the Department of Environmental Quality receives an application for a regional disposal site within the county. The board shall select members of the committee from among at least each of the following groups, to the extent feasible:

(a) Residents residing near or adjacent to the regional disposal site.

(b) Owners of real property adjacent to or near the regional disposal site.

(c) Persons who reside in or own real property within the county in which the regional disposal site is located.

(d) Employees of the permittee.

(e) Local organizations and citizen interest groups whose majority of members either:

(A) Are electors of the county in which the regional disposal site is located; or

(B) Own real property in the county in which the regional disposal site is located.

(2) Unless determined otherwise by a board of county commissioners:

(a) Members of the local citizens advisory committee shall serve a term of two years.

(b) The committee shall elect from among its members a chairperson of the committee with such duties and powers as the committee imposes.

(c) The committee shall meet at least four times each year for so long as the regional disposal site is proposed or operating.

(3) If the regional disposal site is operated by a metropolitan service district, the local citizens advisory committee shall be established by the governing body of the metropolitan service district.

(4) If the board of county commissioners of a county in which a regional disposal site is located or is proposed to be located has already established a local citizens advisory committee for solid waste issues in general, that committee may serve to fulfill the duties specified in ORS 459.325 so long as the membership of the committee is consistent with this section. [1987 c.876 §9; subsection (4) enacted as 1987 c.876 §10; 1999 c.720 §1]

**459.325 Duties of regional disposal site advisory committee.** The duties of the local citizens advisory committee established under ORS 459.320 shall include but need not be limited to:

(1) Reviewing with the permittee, the regional disposal site including but not limited to siting, operation, closure and long-term monitoring of the regional disposal site; and

(2) Providing a forum for citizen comments, questions and concerns about the regional disposal site and promoting a dialogue between the community in which the regional disposal site is to be located and the owner or operator of the regional disposal site. The committee shall prepare an annual written

**Oregon Revised Statute – Chapter 459.320-330**

Also available online here: [oregonlegislature.gov/bills\\_laws/ors/ors459.html](http://oregonlegislature.gov/bills_laws/ors/ors459.html)

report summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns. The report shall be considered by the Department of Environmental Quality in issuing and renewing a solid waste permit under ORS 459.245. [1987 c.876 §11]

**459.330 Notification of advisory committee by regional disposal site permittee.** The permittee shall notify the local citizens advisory committee established under ORS 459.320 when the permittee proposes to apply for a change to any state or local permit. [1987 c.876 §12]

...



## BOC Agenda Checklist Master

## Agenda Placement and Contacts

**Suggested Agenda Date** 03/05/24

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Community Development

**Contact Name \*** Darren Nichols

**Phone Extension \*** 5417666394

**Meeting Attendee Name \*** Darren Nichols, Gabby Dibble, Steve Chase

Agenda Item Details 

**Item Title \*** Sustainable Materials Management Plan - Recommended Selection of Consultant

**Item Involves \*** Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

**Estimated Time \*** 30 minutes

**Board/Committee Involvement \***  Yes  
 No



**Name of  
Board/Committee**

Sustainable Materials Management Planning  
Task Force

**Advertisement\***

- Yes  
 No

# Issues and Fiscal Impact

## Item Issues and Description

**Identified Salient Issues \***

Following recommendations from a community driven workgroup, in September 2023 the Board of Commissioners authorized the release of a Request for Proposals (RFP) for consulting support to develop a sustainable materials management plan. The Board received four proposals in response to the RFP. An internal evaluation committee reviewed the proposals and conducted interviews with each of the proposers. Following the interviews and a public question and answer session with each proposer, the evaluation committee scored the proposals. The County's task force chair then reviewed the scores and the top two scoring proposals. Based on the reviews of the evaluation committee and the task force chair, the committee and chair recommend that the Board authorize staff to issue a notice of intent to award a contract to the highest scoring proposer and begin negotiations with that proposer to develop a final scope of work and contract.

**Options \***

The Board may:

1. authorize staff to issue notice of intent to award and proceed with negotiations;
2. request additional information; or
3. take additional action as appropriate.

**Fiscal Impact \***

- Yes
- No

**Fiscal Impact Description \***

The Board authorized the investment of up to \$400,000 in the County's 2023-2025 budget for a regional sustainable materials management plan to guide the future of solid waste and sustainable materials management in Benton County and western Oregon. The Board's action on this agenda item is necessary to authorize and support the selection of a skilled consulting team to advance the development of a regional sustainable materials management plan.

# 2040 Thriving Communities Initiative

**Mandated Service?\***  Yes  No

## 2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

**Mandated Service Description\*** If this agenda checklist describes a mandated service or other function, please describe here.  
Benton County is authorized and mandated to manage solid waste and disposal within its jurisdiction. Under ORS 459 and Benton County Code, the County must take certain actions relating to the management of solid waste and disposal. Developing a modern sustainable materials management plan is a critically important step in the County's successful fulfillment of its responsibilities.

## Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

**Core Values\*** Select all that apply.  
 Vibrant, Livable Communities  
 Supportive People Resources  
 High Quality Environment and Access  
 Diverse Economy that Fits  
 Community Resilience  
 Equity for Everyone  
 Health in All Actions  
 NA

**Explain Core Values Selections\*** Solid waste and disposal impact every resident and institution in Benton County and surrounding areas. An effective sustainable materials management plan is a key component to leading western Oregon in responsible, sustainable materials management and to implement the 2040 values and vision.

**Focus Areas and Vision\*** Select all that apply.  
 Community Safety  
 Emergency Preparedness  
 Outdoor Recreation  
 Prosperous Economy  
 Environment and Natural Resources  
 Mobility and Transportation  
 Housing and Growth  
 Arts, Entertainment, Culture, and History  
 Food and Agriculture  
 Lifelong Learning and Education  
 NA

**Explain Focus Areas and Vision Selection\*** Solid waste and disposal impact every resident and institution in Benton County and surrounding areas. An effective sustainable materials management plan is a key component to implementing the 2040 values and vision.

## Recommendations and Motions

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### Item Recommendations and Motions

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**Staff**

**Recommendations\***

Pursuant to Benton County Code Chapter 2.390 (Notice of Intent to Award), staff recommends the Board authorize staff to issue a notice of intent to award a contract under the RFP and proceed with negotiating a revised scope of work and contract with the top-scoring proposer.

**Meeting Motions\***

I move to ...

... authorize staff to issue a notice of intent to award a contract under the Sustainable Materials Management Plan RFP and direct staff to begin negotiating with the top-scoring proposer to develop a revised final scope of work and contract consistent with the RFP and Benton County Code Chapter 2.

### **Staff Recommendations**

Pursuant to Benton County Code Chapter 2.390 (Notice of Intent to Award), staff recommends the Board authorize staff to issue a notice of intent to award a contract under the RFP and proceed with negotiating a revised scope of work and contract with the top-scoring proposer.

### **Meeting Motion**

I move to authorize staff to issue a notice of intent to award a contract under the Sustainable Materials Management Plan RFP and direct staff to begin negotiating with the top-scoring proposer to develop a revised final scope of work and contract consistent with the RFP and Benton County Code Chapter 2.

# Attachments, Comments, and Submission

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## Item Comments and Attachments

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### Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

RFP Scoring SMMP - MASTER.pdf	84.66KB
DRAFT Notice of Intent to Award - RRS for BOC consideration 03.05.2024.pdf	168.06KB

### Comments (optional)

The agenda checklist includes:

- Tabulated scores compiled by the County's RFP evaluation committee; and
- a DRAFT Notice of Intent to Award (NOITA) letter to the top scoring proposer.





Additional information about the RFP, the selection process and notice of intent to award will be posted to the County website here on March 5, 2024:

<https://finance.bentoncountyor.gov/requests-for-proposals>

If you have any questions, please call ext.6800

**Department Approver**

AMANDA MAKEPEACE

<p>1. Dept Approval</p> <hr/> <p><b>Department Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <hr/> <p><b>BOC Final Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2. Teresa Larson on behalf of Vance Croney Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <hr/> <p><b>Finance Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4. Rachel L. McEneny, Benton County Administrator</p> <hr/> <p><b>County Administrator Approval</b></p> <hr/> <p>Comments</p> <p>Signature </p>	



	Totals	Highest Score	Lowest Score	Max Avail.
ieRM	508	86	63	700 total, 100 per scorer
McGuire Mech.	321	68	23	
RRS	622	98	81	
GBB	609	99	75	

RFP Scoring - SUSTAINABLE MATERIALS MANAGEMENT PLAN

		1. Title Page/ Table of Contents (P/F)		2. Certification of Non-Discrimination (P/F)		3. Technical Proposal Section 1(a) - Experience, Capabilities and Resources (25pts)		4. Technical Proposal Section 1(b) - Experience of project team members (25pts)		5. Technical Proposal Section 1(c) - Social and Environmental responsibility (10pts)		6. Technical Proposal Section 1(a) - Approach to scope of work (20pts)		7. Technical Proposal Section 2(b) - Schedule (10pts)		8. Price Proposal/Cost (10pts)		9. Insurance Requirements (P/F)		TOTAL	
<b>Daniel Redick</b>																					
ieRM	P	P			15		20		4		13		10		9	P					71
McGuire Mech.	P	P			10		10		2		10		10		10	P					52
RRS	P	P			20		20		9		19		10		10	P					88
GBB	P	P			20		20		9		16		10		10	P					85

		1. Title Page/ Table of Contents (P/F)		2. Certification of Non-Discrimination (P/F)		3. Technical Proposal Section 1(a) - Experience, Capabilities and Resources (25pts)		4. Technical Proposal Section 1(b) - Experience of project team members (25pts)		5. Technical Proposal Section 1(c) - Social and Environmental responsibility (10pts)		6. Technical Proposal Section 1(a) - Approach to scope of work (20pts)		7. Technical Proposal Section 2(b) - Schedule (10pts)		8. Price Proposal/Cost (10pts)		9. Insurance Requirements (P/F)		TOTAL	
<b>Sean McGuire</b>																					
ieRM	P	P			17		15		8		14		7		5	P					66
McGuire Mech.	P	P			5		3		8		5		1		1	P					23
RRS	P	P			21		20		9		17		7		7	P					81
GBB	P	P			23		23		9		18		9		9	P					91

Note: Schedule & Costs scored low because applicant did not include list of sub-contractors with their schedule & costs, so schedule & costs are unknown.

		1. Title Page/ Table of Contents (P/F)		2. Certification of Non-Discrimination (P/F)		3. Technical Proposal Section 1(a) - Experience, Capabilities and Resources (25pts)		4. Technical Proposal Section 1(b) - Experience of project team members (25pts)		5. Technical Proposal Section 1(c) - Social and Environmental responsibility (10pts)		6. Technical Proposal Section 1(a) - Approach to scope of work (20pts)		7. Technical Proposal Section 2(b) - Schedule (10pts)		8. Price Proposal/Cost (10pts)		9. Insurance Requirements (P/F)		TOTAL	
<b>Shannon Bush</b>																					
ieRM	P	P			18		18		6		12		6		4	P					64
McGuire Mech.	P	P			8		5		6		5		3		2	P					29
RRS	P	P			20		23		8		18		6		6	P					81
GBB	P	P			20		20		8		15		8		5	P					76

		1. Title Page/ Table of Contents (P/F)		2. Certification of Non-Discrimination (P/F)		3. Technical Proposal Section 1(a) - Experience, Capabilities and Resources (25pts)		4. Technical Proposal Section 1(b) - Experience of project team members (25pts)		5. Technical Proposal Section 1(c) - Social and Environmental responsibility (10pts)		6. Technical Proposal Section 1(a) - Approach to scope of work (20pts)		7. Technical Proposal Section 2(b) - Schedule (10pts)		8. Price Proposal/Cost (10pts)		9. Insurance Requirements (P/F)		TOTAL	
<b>Sarah Siddiqui</b>																					
ieRM	P	P			25		20		10		15		8		8	P					86
McGuire Mech.	P	P			16		16		5		10		10		10	P					67
RRS	P	P			24		24		10		20		10		10	P					98
GBB	P	P			25		25		9		20		10		10	P					99

No signed Addendum  
 E-submitted addendum  
 Signed addendum  
 Signed addendum

	1. Title Page/Table of Contents (P/P)	2. Certification of Non-Discrimination (P/P)	3. Technical Proposal Section 1(a) - Experience, Capabilities, and Resources (25pts)	4. Technical Proposal Section 1(a) - Experience of project team members (25pts)	5. Technical Proposal Section 1(b) - Social and Environmental responsibility (10pts)	6. Technical Proposal Section 1(c) - Social and Environmental responsibility (10pts)	7. Technical Proposal Section 1(a) - Approach to Scope of Work (20pts)	8. Price Proposal/Section 2(b) - Schedule (10pts)	9. Insurance Requirements (P/P)	TOTAL
<b>Gabby Dibble</b>										
leRM	P	P	25	15	7	15	8	10	P	80
McGuire Mech.	P	P	17	15	8	10	10	8	P	68
RRS	P	P	25	25	10	20	8	10	P	98
GBB	P	P	25	25	8	20	10	10	P	98

	1. Title Page/Table of Contents (P/P)	2. Certification of Non-Discrimination (P/P)	3. Technical Proposal Section 1(a) - Experience, Capabilities, and Resources (25pts)	4. Technical Proposal Section 1(b) - Experience of project team members (25pts)	5. Technical Proposal Section 1(b) - Social and Environmental responsibility (10pts)	6. Technical Proposal Section 1(c) - Social and Environmental responsibility (10pts)	7. Technical Proposal Section 1(a) - Approach to Scope of Work (20pts)	8. Price Proposal/Section 2(b) - Schedule (10pts)	9. Insurance Requirements (P/P)	TOTAL
<b>Mac Gillespie</b>										
leRM	p	p	18	15	5	12	8	5	p	63
McGuire Mech.	p	p	10	10	8	5	3	5	p	41
RRS	p	p	25	25	10	18	8	8	p	94
GBB	p	p	20	20	8	12	5	10	p	75

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<b>John Deuel</b>										
leRM	P	P	18	22	7	15	9	7	P	78
McGuire Mech.	P	P	10	8	6	10	3	4	P	41
RRS	P	P	21	20	8	17	9	7	P	82
GBB	P	P	23	22	6	19	5	10	P	85





Office: (541) 766-6819

4500 SW Research Way.  
Corvallis, OR 97333

cd.bentoncountyor.gov

**DRAFT for Board Consideration March 5, 2024**

Resource Recycling Systems, Inc. (RRS)  
ATTN: Brianne Haven  
416 Longshore Drive  
Ann Arbor, MI 48105

**SUBJECT:** NOTICE OF INTENT TO AWARD – RFP FOR SUSTAINABLE MATERIALS  
MANAGEMENT PLAN (SMMP)

The County has elected to award the subject project to the highest scoring proposer, RRS, in an amount to be determined once final negotiations have completed.

Enclosed is a contract for your review with a preliminary scope of work. At this time, you will need to provide the required insurance certificates in the prescribed amounts outlined in Attachment A.

Once negotiations have completed and the contract documents have been fully executed, a kick-off meeting will be scheduled by the Benton County Community Development office.

Once all documents are complete, the County will issue a copy for your records and will notify you when work may begin.

If you have any questions or concerns during the project, please call me at 541-766-6394 or email me at [darren.nichols@bentoncountyor.gov](mailto:darren.nichols@bentoncountyor.gov).

Sincerely,

Darren Nichols  
Community Development Director  
Benton County

Enclosure: Contract  
C: Bidders

*At your service,  
every day.*